



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application: Tianqing He et al.

Filing Date: 11/15/03

Examiner: Jiping Lu

Serial No: 10/714,471

Art Unit: 3749

Invention: DEVICE AND METHODS FOR RAPID DRYING OF POROUS MATERIALS

AFTER FINAL SUBMISSION PURSUANT TO 37 C.F.R. § 1.129

Commissioner of Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

09/28/2006 CNEGA1 00000062 10714471

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395.00 0P

Dear Sir or Madam:

This is written in response to an Office Action with a mailing date of June 7, 2006. This Submission is accompanied by the requisite fee under 37 C.F.R. § 1.17(r) of three hundred and ninety-five dollars (\$395.00).

Claim Rejections 35 U.S.C. § 1.102

CLAIM 23 WAS REJECTED UNDER 35 U.S.C. § 102(b) AS ANTICIPATED BY OR UNPATENTABLE OVER WENNERSTRUM, U. S. PATENT #4,882,851. THE EXAMINER IS APPARENTLY REASONING, SINCE WENNERSTRUM HAS A PUMP, THAT THIS PUMP IS CAPABLE OF EVACUATING AIR FROM A CHAMBER TO ACHIEVE ANY DESIRED VACUUM LEVEL. THE EXAMINER APPARENTLY REASONS THAT WHATEVER PUMP IS DISCLOSED IN THE APPLICANT'S INVENTION AND WHATEVER LEVEL OF DESIRABLE VACUUM IS DISCLOSED IN APPLICANT'S INVENTION, THEN INTRINSICALLY WENNERSTRUM COULD BE SUPPLIED WITH SUCH A PUMP, APPARENTLY, CONCLUDING THAT A PUMP CONSTITUTES A "STRUCTURE" AND SINCE BOTH WENNERSTRUM CALLS FOR A PUMP "STRUCTURE" AND THE APPLICANT'S INVENTION CALLS FOR A PUMP, THEN THE WENNERSTRUM PUMP NECESSARILY ANTICIPATES THE APPLICANT'S INVENTION. APPLICANT TRAVERSES THIS CONCLUSION OF THE EXAMINER AND INCORPORATES BY REFERENCE HEREIN ARGUMENTS MADE IN RESPONSE TO PREVIOUS OFFICE ACTIONS OF THE EXAMINER APPLYING THE SAME OR SIMILAR REASONING. AS WAS ARGUED EARLIER, THE WENNERSTRUM PATENT DOES NOT DISCUSS A

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